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EXAMINER

HAMDAN, WASSEEM H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/028,333	WIERNSMA, JELLE	
	Examiner	Art Unit	
	Wassem H Hamdan	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 December 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> .	6) <input type="checkbox"/> Other: _____

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Part III - DETAILED ACTION

Specification

1. The disclosure is objected to because element 26 has three different referring names in the specification (pages 7, 9, 10). Appropriate correction is required.

Abstract

2. The abstract is objected to because it refers to a system only, wherein the drawings, the specification, and the claims refer to a system and a computer program code. Correction is required.

Drawings

3. The drawings are objected to because
 - a. boxes 3, 4, 10-15 and 17, of figure 1, require descriptive legends.
 - b. boxes 2 and 8 of figure 2, require descriptive legends.
 - c. Fig. 2, box 26 has three different referring names in the specification (pages 7, 9, 10).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Claim Objections

4. Claims 1-16 are objected to because of the following informalities:
 - a. claim 1, line 8, where it is claimed “a printer, which rough print file”, it should be claimed as “the printer, which the rough print file”.
 - b. claim 1, line 16, where it is claimed “a processed print file”, it should be claimed as “the processed print file”.
 - c. claim 9, line 8, where it is claimed “a printer, which rough print file”, it should be claimed as “the printer, which the rough print file”.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 and 17, are rejected under 35 U.S.C. 102(b) as being anticipated by Axelrod et al. (US Patent 4,800,505).

Regarding claim 1, Axelrod et al. discloses a system for generating printed mail pieces [FIG. 1; column 1, lines 6-10], starting from a print file [FIG. 1], comprising:
a printer for printing postal items [FIG. 1 (90; 20)];

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a processing device for processing printed postal items into mail pieces [FIG. 1 (10); column 4, lines 5-10] ;
a control unit [column 1, lines 42-45; FIG. 1 (80); column 2, lines 59-65] for controlling unit the printer [FIG. 1 (90; 20)] and the processing device [FIG. 1 (10); column 4, lines 5-10], comprising an input interface [FIG. 1 (40)] for inputting a rough print file [FIG. 1 (70)] for controlling a printer [FIG. 1 (90)], which rough print file at least partly defines at least one document to be printed [FIG. 1 (70)], a processor [FIG. 1 (62)]for processing the rough print file [FIG. 1 (70)] in accordance with processing instructions into a processed print file, an output interface [FIG. 1 (40)]connected with said printer [FIG. 1 (20)] and with said processing device [FIG. 1 (10); column 4, lines 5-10] for transmitting control signals to at least said printer or said processing device [FIG. 1 (10); column 4, lines 5-10] for controlling said printer and said processing device in accordance with, or formed by, said processed print file, and memory [FIG. 1 (64); column 2, lines 50-52].

Regarding claims 1 and 17, Axelrod et al. discloses processing code for controlling said control unit for processing said rough print file into a processed print file, which processing code comprises processing instructions [FIG. 1; FIG. 2; FIG. 3; column 4, lines 53-55 (even though, Axelrod does not specifically disclose the instruction, it is inherent for the system of FIG. 1 and the flow charts of FIGS 2 and 3, to have set of instructions]; and

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representation code for causing said processing instructions to be represented in humanly perceptible form [FIG. 1; FIG. 2; FIG. 3; column 6, lines 37-68 (even though, Axelrod does not specifically disclose the “instructions”, it is inherent for the system of FIG. 1, and the flow charts of FIGS 2 and 3, to have set of instructions], said representation code being editable [column 3, lines 12-21] for changing at least said representations of said processing instructions, and said representation code being convertible into said processing code [FIG. 1; FIG. 2; FIG. 3; column 4, lines 53-55.

Regarding claim 2, Axelrod et al. discloses wherein said representation code is arranged for editably representing at least variables [column 3, lines 5-21] of said processing instructions.

Regarding claim 3, Axelrod et al. discloses wherein said representation code is arranged for editably representing at least formal parameters [column 3, lines 5-21] of said processing instructions [please see claim 1 for the “instructions”].

Regarding claim 4, Axelrod et al. discloses a display [FIG. 1 (64, 66); column 4, lines 59-63] for representing said representation code in humanly perceptible form, said display being connected with said control unit [FIG. 1 (80)]

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Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Axelrod et al. (US Patent 4,800,505).

Regarding claim 9, Axelrod et al. discloses a system for generating printed mail pieces [FIG. 1; column 1, lines 6-10], starting from a print file [FIG. 1], comprising:
a printer for printing postal items [FIG. 1 (90; 20)];
a processing device for processing printed postal items into mail pieces [FIG. 1 (10); column 4, lines 5-10];
a control unit [column 1, lines 42-45; FIG. 1 (80); column 2, lines 59-65] for controlling unit the printer [FIG. 1 (90; 20)] and the processing device [FIG. 1 (10); column 4, lines 5-10], comprising an input interface [FIG. 1 (40)] for inputting a rough print file [FIG. 1 (70)] for controlling a printer [FIG. 1 (90)], which rough print file at least partly defines at least one document to be printed [FIG. 1 (70)], a processor [FIG. 1 (62)] for processing the rough print file [FIG. 1 (70)] in accordance with processing instructions into a processed print file, an output interface [FIG. 1 (40)] connected with said printer [FIG. 1 (20)] and with said processing device [FIG. 1 (10); column 4, lines 5-10] for transmitting control signals to at least said printer or said

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processing device [FIG. 1 (10); column 4, lines 5-10] for controlling said printer and said processing device in accordance with, or formed by, said processed print file, and memory [FIG. 1 (64); column 2, lines 50-52].

Regarding claims 9 and 18, Axelrod et al. discloses the essential elements of the claimed invention, but does not disclose a set of processing subroutines and set of instructions. Axelrod et al. discloses the flow charts in FIGS. 2 and 3; column 6, lines 9-35, and column 7, lines 41-55; “FIG. 2, shows flow chart of the operation of computer system. To initialize the system an operator first places a known number of inserts to be inserted in items to be mailed by inserter on scale and issues a start up command through operator interface, and FIG. 3, shows a flow chart of the above described post-processing subsystem which may be incorporated in existing data processing systems for the generation of control documents with minimal software changes ...”, which is obvious to have set of subroutines and set of instructions in Axelrod et al. invention in order to function and process the data. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Axelrod et al. by including set of subroutines and set of instructions, the skilled artisan would have been motivated to modify Axelrod et al. as above for the purpose of manipulating and processing the code in order perform the required printing material.

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Axelrod et al., discloses representation code being editable [column 3, lines 12-21] for changing at least said representations of said processing instructions, and said representation code being convertible into said processing code [FIG. 1; FIG. 2; FIG. 3; column 4, lines 53-55].

Axelrod et al. discloses the essential elements of the claimed invention, but does not specifically state that the processing instructions are editable. However, it is inherent that the processing instructions are editable since the code is always editable.

Regarding claim 10, Axelrod et al. discloses wherein said representation code is arranged for editably representing at least variables [column 3, lines 5-21] of said processing instructions.

Regarding claim 11, Axelrod et al. discloses wherein said representation code is arranged for editably representing at least formal parameters [column 3, lines 5-21] of said processing instructions [please see claim 1 for the “instructions”].

Regarding claim 12, Axelrod et al. discloses a display [FIG. 1 (64, 66); column 4, lines 59-63] for representing said representation code in humanly perceptible form, said display being connected with said control unit [FIG. 1 (80)]

Regarding claims 5, 6, 13 and 14, Axelrod et al. discloses the essential elements of the claimed invention, but does not disclose a source language and being a script language. Axelrod

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et al. discloses the flow charts in FIGS. 2 and 3; column 6, lines 9-35, and column 7, lines 41-55; “FIG. 2, shows flow chart of the operation of computer system. To initialize the system an operator first places a known number of inserts to be inserted in items to be mailed by inserter on scale and issues a start up command through operator interface, and FIG. 3, shows a flow chart of the above described post-processing subsystem which may be incorporated in existing data processing systems for the generation of control documents with minimal software changes ...”, which is obvious to have source language and being a script language in Axelrod et al. invention in order to function and process the data. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Axelrod et al. by including source language and being a script language, the skilled artisan would have been motivated to modify Axelrod et al. as above for the purpose of manipulating and processing the code in order perform the required printing material.

Regarding claims 7 and 15, Axelrod et al. discloses memory [FIG. 1 (64)] further contains converter code for converting said source language (please above for “source language”) into a code executable [column 4, lines 53-55] by said control unit [FIG. 1 (80)].

Regarding claims 8 and 16, Axelrod et al. discloses said editing code [column 3, lines 14-18] comprises a code generator for generating at least portions of said representation code [column 6, lines 37-68], which code generator is arranged for causing a user interface to be

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represented [column 6, lines 37-68], with choices from predetermined sets of processing instructions (please claim 1 for "the instructions").

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem Hamdan whose telephone number is (703) 305-3968. The examiner can normally be reached Monday-Thursday from 700 AM-400 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Drew H. Hirshfeld can be reached on (703) 305-6619.

The fax phone number for this Art Unit is (703)308-7722 or (703)308-7724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Receptionist at (703) 305-3800.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-7722 or (703) 308-7724, or (703) 305-3431, or (703) 305-3432 (for formal communications intended for entry, please label "FORMAL" and sign as attorney of record)

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Or:

(703) 305-9724 (for informal or draft communications, please label "PROPOSED"
or "DRAFT" and prominently label PLEASE DELIVER DIRECTLY TO
EXAMINER)

Hand-delivered responses should be brought to Crystal Plaza 4 [fourth Floor
(Receptionist)], 2201 South Clark Place, Arlington, VA. 22202.


Wasseem H. Hamdan

March 27, 2003


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